

TENTATIVE RULINGS

CIVIL / FAMILY LAW CASE MANAGEMENT CALENDAR

For: 1/05/200 Monday Dept: 1A

(Posted 12/23/08)

Tentative Rulings are proposed as orders to be issued at the hearing and are posted in advance for the convenience of the parties and their counsel. Any party objecting to the tentative ruling should promptly notify the opposing party of the substance of the objection with sufficient time to allow all parties, or their attorneys of record, to appear in person or by telephone at the scheduled hearing. Absent objection, the Court routinely adopts the tentative ruling as posted. Failures to appear, absent an order to appear, are deemed consent to the tentative ruling.

1. **1:00 PM** Case: CF7570 [M] CSAA v BIOCINNI
Type: INTERPLEADER Date Filed: 06/15/07
Event: TRIAL SETTING AFTER MEDIATION

PLNTFF: CALIFORNIA STATE AUTOMOBILE ASSOC ATTY: MACMORRIS & CARBONE
DEFNDT: BIOCINNI, PAUL
Service Date/Type: 08/24/07 NAR 00 00 00
DEFNDT: ROEBLING, PATRICK
Service Date/Type: 10/25/07 SUB 00 00 00
DEFNDT: RAMSEY, JAMES
Service Date/Type: 09/04/07 NAR 00 00 00
DEFNDT: HENKLE, VICKIE ATTY: IN PRO PER
Service Date/Type: 08/24/07 NAR Answer Date: 09/20/07
DEFNDT: STARR, RICHARD
Service Date/Type: 08/23/07 NAR 00/00/00
DEFNDT: HEDSTROM, ERIK
Service Date/Type: 08/30/07 NAR 00/00/00
DEFNDT: HEDSTROM, MICHELLE
Service Date/Type: 08/30/07 NAR 00/00/00
DEFNDT: HOWRY, TIFFANY ATTY: IN PRO PER
Service Date/Type: 08/22/07 NAR Answer Date: 08/22/07
DEFNDT: BRUMET, JOSEPH
Service Date/Type: 08/20/07 NAR 00/00/00
DEFNDT: MOTZEK, HUBERT
Service Date/Type: 09/26/07 NAR 00/00/00
DEFNDT: LIMBERATOS, JUDITH ATTY: IN PRO PER
Service Date/Type: 08/20/07 NAR Answer Date: 09/19/07
DEFNDT: GALLEGOS, CHRISTIE ATTY: GROTEFELD & HOFFMANN LLP
Service Date/Type: 10/25/07 PER Answer Date: 10/22/07
DEFNDT: HALL, MICHAEL ATTY: IN PRO PER
Service Date/Type: 09/04/07 NAR Answer Date: 09/17/07
DEFNDT: HALL, LINDA ATTY: IN PRO PER
Service Date/Type: 09/04/07 NAR Answer Date: 09/17/07
DEFNDT: CANNADY, CHARLES ATTY: IN PRO PER
Service Date/Type: 10/25/07 PER Answer Date: 11/21/07
DEFNDT: BRAZEAL, KATHY
Service Date/Type: 04/03/08 PER 00/00/00
DEFNDT: WEINGART, PAULA
Service Date/Type: 09/02/08 NAR 00/00/00
DEFNDT: KUNTZ, KEITH
Service Date/Type: 08/16/07 NOT 00/00/00
DEFNDT: WHITE, KEVIN

Service Date/Type: 10/21/07 PER 00/00/00
DEFNDT: FLEENER, DALE
Service Date/Type: 03/26/08 PER 00/00/00
DEFNDT: HENKLE, NANCY ATTY: IN PRO PER
Service Date/Type: 08/23/07 NAR Answer Date: 03/06/08
DEFNDT: STATE FARM GENERAL INSURANCE COMP ATTY: GROTEFELD & HOFFMANN LLP
Service Date/Type: 00/00/00 Answer Date: 10/22/07

Tentative Ruling: The case is At-Issue and is set for Settlement Conference in Dept. 1A approximately 120 days out and for Trial in Dept. 1 approximately 150 days out. The clerk's office shall provide a pretrial order with dates and times. Estimated trial length: 1 day court trial.

2. 1:00 PM Case: CF8170 [M] PREMIER BATHROOMS v MING
Type: COLLECTIONS Date Filed: 08/18/08
Event: CASE MANAGEMENT CONFERENCE-CIVIL

PLNTFF: PREMIER BATHROOMS USA INC ATTY: MCCULLOGH & ASSOCIATES APC
DEFNDT: MING, MIKE
Service Date/Type: 09/03/08 PER 00/00/00

Tentative Ruling: This matter awaits entry of judgment. The matter is continued for further case management, if judgment enters in the interim the following date will be vacated, Dept 1A at 1:00 PM on 5/4/09.

3. 1:00 PM Case: CF8191 [M] STATES RECOVERY v KRAUSE
Type: COLLECTIONS Date Filed: 08/26/08
Event: CASE MANAGEMENT CONFERENCE-CIVIL

PLNTFF: STATES RECOVERY SYSTEMS INC ATTY: WILKINSON, TROY M. ESQ.
DEFNDT: KRAUSE, ROBERT D
Service Date/Type: 09/18/08 PER 00/00/00
AKA: COSTA, ROBERT D

Tentative Ruling: The matter is not At-Issue and is set for further Case Management. By the next CMC, unless all defendants have filed responsive pleadings, Plaintiff is ordered to file defaults or dismissals of all defendants. The CMC is set for Dept 1A at 1:00 PM on 5/4/09.

4. 1:00 PM Case: CF8193 [M] PATAGONIA CONSTRUCTIO v SQUIRE
Type: BREACH OF CONTRACT Date Filed: 08/29/08
Priority Info: CONS'D W/SC6137; CF8193 LEAD
Event: CASE MANAGEMENT CONFERENCE-CIVIL

Related cases NOT on this calendar: SC6137 , CV34891 ,
PLNTFF: PATAGONIA CONSTRUCTION INC. ATTY: SMALL, MICHAEL D ESQ
DEFNDT: SQUIRE, KEVIN ATTY: IN PRO PER
Service Date/Type: 00/00/00 Answer Date: 09/26/08
DEFNDT: SQUIRE, JENNY ATTY: IN PRO PER
Service Date/Type: 00/00/00 Answer Date: 09/26/08

Tentative Ruling: The case is At-Issue and is set for Trial in Dept. 2 approximately 120 days out. The clerk's office shall provide a pretrial order with dates and times. Estimated trial length: 1 court trial.

5. 1:00 PM Case: CF8271 [M] NCCS INC v MCALLISTER
Type: COLLECTIONS Date Filed: 10/14/08
Event: CASE MANAGEMENT CONFERENCE-CIVIL
10/19/09 1:00 1A OSC RE: JUDGMENT

PLNTFF: NCCS INC ATTY: MCLAUGHLIN & HENDRICKSON
DBA: NORTH COAST COLLECTION SERVICE
DEFNDT: MCALLISTER, STEVEN
Service Date/Type: 10/29/08 PER Answer Date: 12/02/08

Tentative Ruling: The case is At-Issue and is set for Trial in Dept. 2 approximately 120 days out. The clerk's office shall provide a pretrial order with dates and times. Estimated trial length: ½ day court trial.

6. 1:00 PM Case: CV33946 [S] HANSEN v MARK TWAIN ST. JOSEPH
Type: MALPRACTICE - MEDICAL/DENTAL Date Filed: 08/03/07
Event: TRIAL SETTING AFTER MEDIATION

PLNTFF: HANSEN, LINDA ATTY: BRAYTON PURCELL LLP
DEFNDT: MARK TWAIN ST JOSEPH'S HOSPITAL ATTY: LOW MCKINLEY BALERIA & SALENK
Service Date/Type: 08/28/07 PER Answer Date: 12/13/07
DEFNDT: EASTMAN D.O., MARK E ATTY: ZARO SILLIS & RAMAZZINI LLP
Service Date/Type: 01/14/08 PER Answer Date: 06/11/08

Tentative Ruling: The case is At-Issue and is set for Settlement Conference in Dept. 1A approximately 120 days out and for Trial in Dept. 6 approximately 150 days out. The clerk's office shall provide a pretrial order with dates and times. Estimated trial length: 10 day jury trial.

7. 1:00 PM Case: CV34189 [S] MARTIN v CALAVERAS COUNTY ETAL
Type: PI-NON MOTOR VEHICLE Date Filed: 10/31/07
Event: TRIAL SETTING AFTER MEDIATION

PLNTFF: MARTIN, MARK J ATTY: VERA, JULIA E ESQ
DEFNDT: CALAVERAS COUNTY ATTY: ANGELO KILDAY & KILDUFF
Service Date/Type: 11/29/07 PER Answer Date: 12/31/07
DEFNDT: ROOT, WILLIAM ATTY: ANGELO KILDAY & KILDUFF
Service Date/Type: 02/14/08 SUB Answer Date: 05/27/08

Tentative Ruling: The case is At-Issue and is set for Settlement Conference in Dept. 1A approximately 120 days out and for Trial in Dept. 6 approximately 150 days out. The clerk's office shall provide a pretrial order with dates and times. Estimated trial length: 8 day jury trial.

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8. 1:00 PM Case: CV34528 [S] JOHNSON v CALAVERAS COUNTY
Type: PI/PD MOTOR VEHICLE Date Filed: 03/19/08
Event: TRIAL SETTING AFTER MEDIATION

PLNTFF: JOHNSON, WILLIAM BOYD ATTY: DREYER BABICH BUCCOLA & CALLA
DEFNDT: CALAVERAS COUNTY ATTY: HARRINGTON FOXX DUBROW & CANT
Service Date/Type: 00/00/00 Answer Date: 04/28/08
DEFNDT: DEPARTMENT OF PUBLIC WORKS ATTY: HARRINGTON FOXX DUBROW & CANT
Service Date/Type: 00/00/00 Answer Date: 04/28/08
DEFNDT: CALAVERAS TRANSIT ATTY: HARRINGTON FOXX DUBROW & CANT
Service Date/Type: 00/00/00 Answer Date: 04/28/08
DEFNDT: MV TRANSPORTATION INC ATTY: HARRINGTON FOXX DUBROW & CANT
Service Date/Type: 04/03/08 PER Answer Date: 04/28/08
DEFNDT: DOWNS, EMMETT WAYNE ATTY: HARRINGTON FOXX DUBROW & CANT
Service Date/Type: 04/03/08 PER Answer Date: 04/28/08

Tentative Ruling: The case is At-Issue and is set for Settlement Conference in Dept. 1A approximately 120 days out and for Trial in Dept. 6 approximately 150 days out. The clerk's office shall provide a pretrial order with dates and times. Estimated trial length: 6 day jury trial.

9. 1:00 PM Case: CV35000 [S] PACIFIC WESTERN BLDRS v NILSEN
Type: BREACH OF CONTRACT Date Filed: 08/18/08
Event: CASE MANAGEMENT CONFERENCE-CIVIL
01/13/09 10:00 1 DEMURRER OF DAVID NILSEN AND JIM ELLIS

Related cases on this calendar: CV35001 , CV35002 ,
PLNTFF: PACIFIC WESTERN BUILDERS INC ATTY: JOHNSON & MONCRIEF PLC
DEFNDT: NILSEN, DAVID ATTY: AIROLA & AIROLA
Service Date/Type: 09/08/08 PER 00/00/00
DEFNDT: ELLIS, JIM ATTY: AIROLA & AIROLA
Service Date/Type: 11/05/08 PER 00/00/00

Tentative Ruling: The matter is not At-Issue and is set for further Case Management. By the next CMC, unless all defendants have filed responsive pleadings, Plaintiff is ordered to file defaults or dismissals of all defendants. The CMC is set for Dept 1A at 1:00 PM on 4/6/09.

10. 1:00 PM Case: CV35001 [S] PACIFIC WESTERN BLDRS v NILSEN
Type: BREACH OF CONTRACT Date Filed: 08/18/08
Event: CASE MANAGEMENT CONFERENCE-CIVIL
01/13/09 10:00 1 DEMURRER OF DAVID NILSEN AND JIM ELLIS

Related cases on this calendar: CV35000 , CV35002 ,
PLNTFF: PACIFIC WESTERN BUILDERS INC ATTY: JOHNSON & MONCRIEF PLC
DEFNDT: NILSEN, DAVID ATTY: AIROLA & AIROLA
Service Date/Type: 09/08/08 PER 00/00/00
DEFNDT: ELLIS, JIM ATTY: AIROLA & AIROLA
Service Date/Type: 11/05/08 PER 00/00/00

Tentative Ruling: The matter is not At-Issue and is set for further Case Management. By the next CMC, unless all defendants have filed responsive pleadings, Plaintiff is ordered to file defaults or dismissals of all defendants. The CMC is set for Dept 1A at 1:00 PM on 4/6/09.

11. 1:00 PM Case: CV35002 [S] PACIFIC WESTERN BLDRS v NILSEN
Type: BREACH OF CONTRACT Date Filed: 08/18/08
Event: CASE MANAGEMENT CONFERENCE-CIVIL
01/13/09 10:00 1 DEMURRER OF DAVID NILSEN AND JIM ELLIS

Related cases on this calendar: CV35000 , CV35001 ,
PLNTFF: PACIFIC WESTERN BUILDERS INC ATTY: JOHNSON & MONCRIEF PLC
DEFNDT: NILSEN, DAVID ATTY: AIROLA & AIROLA
Service Date/Type: 09/08/08 PER 00/00/00
DEFNDT: ELLIS, JIM ATTY: AIROLA & AIROLA
Service Date/Type: 11/05/08 PER 00/00/00

Tentative Ruling: The matter is not At-Issue and is set for further Case Management. By the next CMC, unless all defendants have filed responsive pleadings, Plaintiff is ordered to file defaults or dismissals of all defendants. The CMC is set for Dept 1A at 1:00 PM on 4/6/09.

12. 1:00 PM Case: CV35028 [S] LAWSON v MARK TWAIN UNION
Type: EMINENT DOMAIN Date Filed: 08/28/08
Event: CASE MANAGEMENT CONFERENCE-CIVIL

PLNTFF: LAWSON, DANIEL ATTY: FOLEY, LAW OFFICES OF KENNETH
PLNTFF: LAWSON, SHEILA ATTY: FOLEY, LAW OFFICES OF KENNETH
PLNTFF: ROGERS, JAMES ATTY: FOLEY, LAW OFFICES OF KENNETH
PLNTFF: ROGERS, STEPHANI ATTY: FOLEY, LAW OFFICES OF KENNETH
DEFNDT: MARK TWAIN UNION ELEMENTARY SCHOO ATTY: STUBBS & LEONE
Service Date/Type: 09/03/08 PER Answer Date: 10/06/08

Tentative Ruling: The case is At-Issue and mediation is recommended to the parties. A Trial Setting Conference is set in Dept. 1A at 1:00 PM on 6/8/09.

13. 1:00 PM Case: CV35031 [S] CRV ENTERPRISES v GATES
Type: BREACH OF CONTRACT Date Filed: 08/29/08
Event: CASE MANAGEMENT CONFERENCE-CIVIL
Event: OSC RE: FILING COMPLIANCE
VACATE IF ALL POS/ANSWERS ARE FILED

PLNTFF: CRV ENTERPRISES INC ATTY: MULLEN SULLIVAN & NEWTON
PLNTFF: VALLEY SPRINGS GOLD CREEK INC ATTY: MULLEN SULLIVAN & NEWTON
DEFNDT: GATES, JAMES ALLEN
Service Date/Type: 11/13/08 PER
AKA: GATES, JAMES
DBA: JAG CONSTRUCTION
DEFNDT: DROGO DEVELOPMENT INC
DEFNDT: DROGO, SAMUEL
AKA: DROGO, SAM
DEFNDT: WESTERN WOOD FABRICATORS ATTY: MENEKSHE CARDWELL & RUIZ
Service Date/Type: 10/14/08 SUB Answer Date: 12/02/08

Tentative Ruling: The matter is not At-Issue and is set for further Case Management. By the next CMC, unless all defendants have filed responsive pleadings, Plaintiff is ordered to file defaults or dismissals of all defendants. The CMC is set for Dept 1A at 1:00 PM on 4/6/09.

14. 1:00 PM Case: CV35194 [S] CECAL ENTERPRISES INC v MOD TECH HOLDINGS INC
Type: BREACH OF CONTRACT Date Filed: 10/24/08
Event: OSC RE: FILING COMPLIANCE
VACATE IF ALL POS/ANSWERS ARE FILED
03/16/09 1:00 1A CASE MANAGEMENT CONFERENCE-CIVIL

PLNTFF: CECAL ENTERPRISES INC
DEFNDT: MOD TECH HOLDINGS INC
DEFNDT: CALAVERAS UNIFIED SCHOOL DISTRICT
DEFNDT: LIBERTY MUTUAL INSURANCE COMPANY

Tentative Ruling: Plaintiff has not filed a proper Proof of Service as to all defendants. The OSC is continued over to the previously scheduled CMC time and date.

15. **2:00 PM** Case: CV33374 [S] WHIPPLE v WHIPPLE
Type: DISSOLUTION WITHOUT MINOR CHIL Date Filed: 01/25/07
Event: FURTHER CASE MANAGEMENT CONF-FAMILY LAW

PETNR: WHIPPLE, DEBORA LYNN ATTY: IN PRO PER
NKA: OLMSTEAD, DEBORA LYNN
RESP: WHIPPLE, RICHARD CLARK ATTY: IN PRO PER
Service Date/Type: 03/19/07 PER Answer Date: 04/09/07

Tentative Ruling: Judgment was previously entered. The parties agreed to set aside judgment to facilitate a joint bankruptcy. The bankruptcy is now concluded and this matter awaits entry of an amended judgment. If a final Judgment (FL-180) on all issues is on file prior to the next Case Management hearing the Case Management hearing will be vacated. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 2:00 PM on 4/6/09.

16. 2:00 PM Case: CV34629 [S] MORENO v BUTLER
Type: ESTABLISH PARENTAL RELATIONSHI Date Filed: 04/23/08
Priority Info: CONFIDENTIAL CASE
Event: FURTHER CASE MANAGEMENT CONFERENCE
RETURN ON MEDIATION

Related cases NOT on this calendar: CV33151 , C12116 , CV33156 ,
PETNR: MORENO, SHAUNNA ATTY: IN PRO PER
RESP: BUTLER, DOUGLAS W.

Tentative Ruling: There is no Tentative Ruling on this case. The parties, or their legal counsel if represented, are ordered to appear.

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17. 2:00 PM Case: CV35021 [S] BURLINGAME v BURLINGAME
Type: DISSOLUTION WITHOUT MINOR CHIL Date Filed: 08/27/08
Event: CASE MANAGEMENT CONFERENCE-FAMILY LAW

PETNR: BURLINGAME, ELOISA BELEN ATTY: IN PRO PER
RESP: BURLINGAME, MARK LOUIS
Service Date/Type: 09/10/08 NAR 00/00/00

Tentative Ruling: Petitioner is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next hearing. This matter may be concluded by a notarized Marital Settlement Agreement ("MSA") of the parties attached to the Judgment (FL-180). If a final Judgment (FL-180) on all issues is on file prior to the next Case Management hearing the Case Management hearing will be vacated. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 2:00 PM on 5/4/09.

18. 3:00 PM Case: CV33603 [S] PETERSEN v PETERSEN
Type: DISSOLUTION WITHOUT MINOR CHIL Date Filed: 04/10/07
Event: SETTLEMENT CONFERENCE/TRIAL SETTING

Related cases NOT on this calendar: CV33546 ,
PETNR: PETERSEN, GERALD W ATTY: MOORE, ROBERT G. ESQ
RESP: PETERSEN, SHEILA R ATTY: FOLEY, LAW OFFICES OF KENNETH
Service Date/Type: 04/10/07 PER Answer Date: 05/02/07

Tentative Ruling: There is no Tentative Ruling on this case. The parties, and their legal counsel if represented, are ordered to appear.

19. 3:00 PM Case: CV34351 [S] BAPTISTA v BAPTISTA
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 01/09/08
Event: SETTLEMENT CONFERENCE/TRIAL SETTING ON
BIFURCATED CUSTODY AND VISITATION
02/09/09 2:00 1A FURTHER CASE MANAGEMENT CONF-FAMILY LAW

PETNR: BAPTISTA, WENDY ATTY: MOORE, ROBERT G. ESQ
MINOR: BAPTISTA MINORS P.D.: KEENE, PATRICK M ESQ
RESP: BAPTISTA, SHANE ATTY: CHAVEZ-OCHOA LAW OFFICES INC.
Service Date/Type: 01/11/08 PER Answer Date: 02/08/08

Tentative Ruling: There is no Tentative Ruling on this case. The parties, and their legal counsel if represented, are ordered to appear.
